PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) Y01-067

First named inventor: Glenn A. Barber

Application No.: 10/008,260 — Art Unit: 2173

Filed: 10/26/2001 — Examiner: Namitha Pillai

Title: Method and Apparatus for Identifying the Selection and Exclusion of Elements of Complex Sets

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

> NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

> NOTE: A grantable petition requires the following items:
> (1) Petition fee;
> (2) Reply and/or issue fee;
> (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
> (4) Statement that the entire delay was unintentional.

1. Petition fee
   [✓] Small entity-fee $ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

   [ ] Other than small entity – fee $ _____ (37 CFR 1.17(m))

2. Reply and/or fee
   A. The reply and/or fee to the above-noted Office action in the form of check and appeal brief paperwork _____ (identify type of reply):

      [ ] has been filed previously on _____.
      [✓] is enclosed herewith.

   B. The issue fee and publication fee (if applicable) of $ _____.
      [ ] has been paid previously on _____.
      [ ] is enclosed herewith.

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12/12/2006 SLUANG1 00000017 10008260
01 FC:2453 — 750.00 OP

PTO/SB/64 (10-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

[✓] Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

[ ] A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of $ _____ for a small entity or $ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Kenneth W. Float (signature)	12/5/2006
Signature	Date
Kenneth W. Float	29,233
Typed or printed name	Registration Number, if applicable
2095 Hwy. 211 NW, #2F, Braselton, GA 30517	(949) 257-7964
Address	Telephone Number

Address

Enclosures: [✓] Fee Payment

[ ] Reply

[ ] Terminal Disclaimer Form

[✓] Additional sheets containing statements establishing unintentional delay

[✓] Other: Appeal brief (in triplicate)

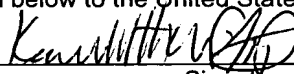CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

[✓] Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

[ ] Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

12/5/2006	_Kenneth W. Float_ (signature)
Date	Signature
	Kenneth W. Float
	Typed or printed name of person signing certificate